



# Price Agreement Amendment

Page 1 of 1  
Printed: 3/22/2002

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
CAPITOL HILL  
PROVIDENCE RI 02908

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SUPERIOR SPECIAL SERVICES INC  
1275 MINERAL SPRINGS DR  
PORT WASHINGTON WI 53074

## RECYCLE SVCS & UNIVERSAL WASTE

Amendment Date: 03/21/2002  
Original Award Date: 01/22/2002  
Buyer: MCINTYRE, NANCY R  
Phone #: (401) 222 - 2142 ext. 126  
FOB: FOB, Destination-Freight Not  
Charged  
Terms: Net 30

Change Order Number

1

Award Number

**68M00228700**

Effective Period:

09/01/2001 - 08/31/2004

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ADMINISTRATION  
MASTER PRICE AGREEMENT  
RELEASE AGAINST RI MPA

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ADMINISTRATION  
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Change Order Note: CHANGE ORDER #1

Department				Bid Number	C/O Req #
ADMINISTRATION				MPA-312	12391
Item	Class-Item	Bid #	Requisition #	Unit	Unit Price
10.0	NICKEL CADMIUM			LB.	0.85
	Change Order for Item #10.				
	A new item was added to the PO.				
11.0	NICKEL METAL HYDRIDE			LB.	0.85
	Change Order for Item 11.				
	A new item was added to the PO				
12.0	SMALL SEALED LEAD (UP TO 2 LBS.)			LB.	0.40
	NOTE: THESE RECHARGEABLE BATTERY TYPES ARE TYPICALLY FOUND IN CORDLESS POWER TOOLS, CELLULAR AND CORDLESS PHONES, LAPTOP COMPUTERS, CAMCORDERS, AND PORTABLE HOUSEHOLD APPLIANCES.				
	Change Order for Item 12.				
	A new item was added to the PO.				

This Notice of Award/Purchase Order is issued in accordance with the specific requirements described herein and the State's Purchasing Regulations and General Conditions of Purchase, copies of which are available at [www.purchasing.state.ri.us](http://www.purchasing.state.ri.us). Delivery of goods or services as described herein shall be deemed acceptance of these requirements.

STATE PURCHASING AGENT/DESIGNEE

ACCOUNTING

DATE RELEASED



# Notice of Price Agreement Award

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Printed: 1/28/2002

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9/1/01 - 8/31/04

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RELEASE AGAINST RI MPA

Date: 01/22/2002  
Buyer: NANCY MCINTYRE  
Shipping: FOB, Destination-Freight Not Charged  
Terms: Net 30

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-312	12391
Item		Unit	Unit Price
	<p>9/1/01 - 8/31/04 WITH TWO ANNUAL OPTIONS FOR RENEWAL.</p> <p>MASTER PRICE AGREEMENT #312</p> <p>THIS IS A NOTICE OF AWARD, NOT AN ORDER. Any quantity reference in the agreement or in the bid preceding it are estimates only and do not represent a commitment on the part of the state to any level of billing activity, other than for quantities or volumes specifically released during the term. No action is to be taken except as specifically authorized, as described herein under AUTHORIZATION AND RELEASE.</p> <p>ENTIRE AGREEMENT - This NOTICE OF AWARD, with all attachments, and any release(s) against it shall be subject to: (1) the specifications, terms and conditions set forth in the Request/Bid Number cited herein, (2) the General Terms and Conditions of Contracts for the State of Rhode Island and (3) all provisions of, and the Rules and Regulations promulgated pursuant to, Title 37, Chapter 2 of the General Laws of the State of Rhode Island. This NOTICE shall constitute the entire agreement between the State of Rhode Island and the Vendor. No assignment of rights or responsibility will be permitted except with the express written permission of the State Purchasing Agent or his designee.</p> <p>CANCELLATION, TERMINATION and EXTENSION - This Price Agreement shall automatically terminate as of the date(s) described under CONTRACT PERIOD unless this Price Agreement is altered by formal amendment by the State Purchasing Agent or his designee upon mutual agreement between the State and the Vendor.</p> <p>STATEWIDE APPLICABILITY - Political Subdivisions (cities, towns, schools, quasi-public agencies), as authorized by law, may participate in this Agreement. All ordering and billing shall be between the vendor and the political subdivision (only).</p>		

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-312	12391
Item		Unit	Unit Price
	<p>THIS IS A MULTI-YEAR BID/CONTRACT. PER RHODE ISLAND STATE LAW 37-2-33, CONTRACT OBLIGATIONS BEYOND FISCAL YEAR 2002 ARE SUBJECT TO AVAILABILITY OF FUNDS. CONTINUATION OF THE CONTRACT BEYOND THE INITIAL FISCAL YEAR WILL BE AT THE DISCRETION OF THE STATE. TERMINATION MAY BE EFFECTED BY THE STATE BASED UPON DETERMINING FACTORS SUCH AS UNSATISFACTORY PERFORMANCE OR THE DETERMINATION BY THE STATE TO DISCONTINUE THE GOODS/SERVICES, OR TO REVISE THE SCOPE AND NEED FOR THE TYPE OF GOODS/SERVICES; ALSO MANAGEMENT OWNER DETERMINATIONS THAT MAY PRECLUDE THE NEED FOR GOODS/SERVICES.</p> <p>ANNUAL RENEWAL INSURANCE CERTIFICATES FOR WORKERS' COMPENSATION, PUBLIC LIABILITY, PROPERTY DAMAGE INSURANCE, AUTO INSURANCE, PROFESSIONAL LIABILITY INSURANCE (AKA ERRORS &amp; OMISSIONS), BUILDER'S RISK INSURANCE, SCHOOL BUSING AUTO LIABILITY, ENVIRONMENTAL IMPAIRMENT (AKA POLLUTION CONTROL), VESSEL OPERATION (MARINE OR AIRCRAFT) PROTECTION &amp; INDEMNITY, ETC., MUST BE SUBMITTED TO THE SPECIFIC AGENCY IDENTIFIED IN THE "BILL TO" SECTION OF THE PURCHASE ORDER. CERTIFICATES ARE ANNUALLY DUE PRIOR TO THE BEGINNING OF ANY CONTRACT PERIOD BEYOND THE INITIAL TWELVE-MONTH PERIOD OF A CONTRACT. FAILURE TO PROVIDE ANNUAL INSURANCE CERTIFICATION MAY BE GROUNDS FOR CANCELLATION.</p> <p>REPORTS - The Vendor agrees to provide the State with quarterly reports describing activity against this Price Agreement. If this is a Master Price Agreement, such reports shall include usage by municipalities, quasi-public agencies, schools, etc. All reports shall contain the following data: (1) Billing volume in dollars and (2) quantity ordered for each line item in the price agreement. When there are no line items in the price agreement, vendor shall report volume by catalog order numbers, with a brief description of each order number.</p>		

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Date: 01/22/2002  
Buyer: NANCY MCINTYRE  
Shipping: FOB, Destination-Freight Not Charged  
Terms: Net 30

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ADMINISTRATION  
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-312	12391
Item		Unit	Unit Price
1.0	<p>Reports must be submitted to the RI Division of Purchases to the attention of the BUYER named in this notice, identifying the Agreement number and the Reporting Period. Quarterly reports shall be due 45 calendar days after the end of each quarter. Failure to submit required reports shall be considered a breach of the contractor's obligations and may be considered, at the discretion of the State Purchasing Agent, sufficient cause for the termination of the agreement and other outstanding agreements and orders, and possible suspension from participation in additional State procurements.</p> <p>RECYCLING SERVICES FOR UNIVERSAL WASTE, INCLUDES FLUORESCENT LAMPS AND BATTERIES.</p> <p>TO CALCULATE MONTHLY COSTS, SELECT FROM THE FOLLOWING TWO CATAGORIES:</p> <ol style="list-style-type: none"><li>1. COLLECTION RATE PER PICK UP and</li><li>2. PROCESSING COST FOR EACH UNIVERSAL WASTE ITEM.</li></ol> <p>TO CALCULATE THE MONTHLY COSTS, DETERMINE THE ANTICIPATED NUMBER OF PICK-UPS IN A MONTH, TIMES THE COLLECTION RATE PER PICK-UP, THEN ADD THE UNIVERSAL WASTE ITEMS PRICING, TIMES THE NUMBER OF ITEMS, TO DETERMINE THE TOTAL MONTHLY COST.</p> <p>THE PRICING REPRESENTS A COLLECTION RATE PER PICK-UP AND THE SELECTED UNIVERSAL WASTE ITEMS BASED ON THE UNIT OF MEASURE PROVIDED.</p> <p>COLLECTION RATE PER PICK-UP.</p>	EA	75.00

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Item		Unit	Unit Price
	PROCESSING COST FOR UNIVERSAL WASTE ITEMS:		
	FLUORESCENT LAMPS:		
2.0	STRAIGHT - PER FOOT	FT	.09
3.0	U-TUBE/CIRCLINE - PER EACH	EA	.52
4.0	COMPACT - PER EACH	EA	.35
	BATTERIES (PER POUND)		
5.0	ALKALINE	LB	.65
6.0	ALKALINE WITH MERCURY	LB	2.99
7.0	LITHIUM	LB	2.99
8.0	SILVER OXIDE	LB	2.99
9.0	MERCURY	LB	2.99

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Item		Unit	Unit Price
	<p>COLLECTION RATE IS THE SAME PRICE FOR ALL COUNTIES.</p> <p>PROCESSING COSTS INCLUDE PACKAGING REQUIRED BY REGULATION.</p> <p>THIS AGREEMENT DOES NOT INCLUDE COMPUTERS AND RELATED EQUIPMENT.</p> <p>FOR FURTHER PROGRAMS DETAILS CONTACT: ROBERT PESATURO, CHIEF FEDERAL SURPLUS PROPERTY 401-222-5801</p> <p>FOR INFORMATION REGARDING UNIVERSAL WASTE CONTACT: TOM ARMSTRONG, DEM 401-222-3434 EXT. 4412</p> <p>DELIVERY OF GOODS OR SERVICES AS REQUESTED BY AGENCY.</p> <p>VENDOR TELEPHONE #: 800-478-6055 VENDOR SCHEDULING CONTACT: AMANDA POVERCHUK EXT. 213 VENDOR BILLING CONTACT: Nanci KIRKLAND EXT. 202 VENDOR ACCOUNT REPRESENTATIVE: JOSEPH MOKRISKY EXT. 232</p>		

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## **TERMS AND CONDITIONS OF PRICING AGREEMENT**

**SCOPE AND LIMITATIONS** - This Agreement covers requirements as described herein, ordered by State agencies during the Agreement Period. No additional or alternative requirements are covered, unless added to the Agreement by formal amendment by the State Purchasing Agent or his designee.

Under State Purchasing Law, 37-2-54, "no purchase or contract shall be binding on the state or any agency thereof unless approved by the department [of administration] or made under general regulations which the chief purchasing officer may prescribe." Under State Purchasing Regulation 8.2.1.1.2, "any alleged oral agreement or arrangements made by a bidder or contractor with any agency or an employee of the Office of Purchases may be disregarded and shall not be binding on the state."

**PRODUCT ACCEPTANCE** - All merchandise offered or otherwise provided shall be new, of prime manufacture, and of first quality unless otherwise specified by the State. The State reserves the right to reject all nonconforming goods, and to cause their return for credit or replacement, at the State's option.

- a) Failure by the state to discover latent defect(s) or concealed damage or non-conformance shall not foreclose the State's right to subsequently reject the goods in question.
- b) Formal or informal acceptance by the State of non-conforming goods shall not constitute a precedent for successive receipts or procurements.

Where the vendor fails to cure the defect promptly or replace the goods, the State reserves the right to cancel the Release, contract with a different vendor, and to invoice the original vendor for any differential in price over the original contract price.

## **ORDER AUTHORIZATION AND RELEASE AGAINST PRICING AGREEMENT**

**In no event shall the Vendor deliver goods or provide service until such time as a duly authorized release document is certified by the ordering Agency.**

**State Agencies** shall request release as follows: All releases shall reference the Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein.

A Department Purchase Order (DPO) listing the items ordered shall be created by the agency. The agency may mail or fax a copy of the order to the Vendor. In some cases the agency may request delivery by telephone, but must provide the Vendor with a DPO Order Number reference for billing purposes. Vendors are encouraged to require written orders to assure payments are processed accurately and promptly.

**DELIVERY** – If this is an MPA, Vendor will obtain "ship to" information from each participating agency. This information will be contained in the DPO. APA delivery information will be contained in the Notice of Award.

**PRICING** - All pricing shall be as described herein, and is considered to be fixed and firm for the term of the Agreement, unless specifically noted to the contrary herein. All prices include prepaid freight. Freight, taxes, surcharges, or other additional charges will not be honored unless reflected herein.

**INVOICING** – All invoices shall reference the DPO Order Number(s), Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein. If this is an MPA, Vendor will obtain "bill to" information from each participating agency. This information will be contained in the DPO. APA billing information will be contained in the Notice of Award.

**PAYMENT** - Invoices for items not received, not priced according to contract or for work not yet performed will not be honored. No payment will be processed to any vendor for whom there is no IRS W-9 on file with the State Controller.

# MEMORANDUM

DATE: 1/17/02

TO: All State Agencies

FROM: Nancy McIntyre, Buyer  
Division of Purchases

RE: Recycling Services-Universal Waste

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The State of Rhode Island recently adopted the Universal Waste Rules. As such, State Agencies can utilize the attached agreement to dispose of fluorescent lamps and batteries. For further information regarding the Universal Waste Rules and Recycling Services, contact Tom Armstrong, Principal Environmental Planner, Department of Environmental Management, at 222-3434 X-4412.